

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kleider et al.)
For: Method of Multiple-Carrier)
Communication within a)
Noncontiguous Wideband)
Spectrum and Apparatus therefor))
Serial No.: 09/690,993)
Filed: October 17, 2000)
Examiner: Wang, T.)
Art Unit: 2611)

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES, and
Pre-Appeal Brief Request for Review**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 41.31, the applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner, dated January 12, 2007, wherein the Examiner made the rejection of the claims final.

In connection with the Notice of Appeal, and Pre-Appeal Brief Request for Review, no fee is believed to be due, as the previously paid fee in the amount of \$500, which was paid in conjunction with the previously filed Notice of Appeal filed September 21, 2005, is believed to be applicable to the present appeal, because there was no final board decision in the previously filed appeal (see MPEP §1204.01). However in the event that the applicant is in error and a new appeal fee is in fact due, the Commissioner is hereby authorized and requested to charge said fee, to Motorola's Deposit Account No. 50-2117. In the event, that any further fees are deemed to be necessary in connection with the present action on the part of the applicant, including any fee to

cover a deficiency associated with any underpayments, the Commissioner is further authorized to charge any such fee or credit any overpayments to the above noted deposit account.

Respectfully submitted,

BY: /Lawrence Chapa/
Lawrence J. Chapa
Reg. No. 39,135
Phone (847) 523-0340
Fax. No. (847) 523-2350

Motorola, Inc.
Mobile Devices
Intellectual Property Department
600 North US Highway 45, W4 35Q
Libertyville, IL 60048